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SIPDIS

STATE FOR NEA FOR FRONT OFFICE; NEA/IPA FOR
GOLDBERGER/SHAMPAINE/PECCIA; NSC FOR ABRAMS/SINGH/PASCUAL;
JCS FOR GENERAL FRASER

E.O. 12958: DECL: 07/09/2018
TAGS: [PGOV](#) [PREL](#) [IS](#) [KPAL](#) [KWBG](#)
SUBJECT: MOD: NO FINAL AGREEMENT REACHED TO EVACUATE
MIGRON...YET

REF: JERUSALEM 1496

Classified By: EconCouns David Burnett for reasons 1.4 (b), (d)

11. (C) On August 14, Oded Herman, Senior Advisor to MOD Pol-Mil Director Amos Gilad, debunked press reports saying that the Ministry of Defense (MOD) and settlers have reached an agreement on evacuating the Migron outpost. According to Herman, the MOD and settler leaders have a general understanding that Migron will be evacuated, but details have yet to be finalized. Herman, who has been actively holding discussions with settler leaders, said that the MOD told the Israeli High Court of Justice (HCJ) on August 14 that it would inform the Court in 30 days where Migron would be relocated. He explained that this 30-day period was intended to provide the settlers with additional time to obtain approvals from rabbis who oppose the outpost's evacuation. Moreover, the timing and area of Migron's relocation are predicated on agreements the settlers reach with the rabbis in these discussions. NOTE: As reported reftel, the settlers' council has agreed internally to the move. Pending their selection in 30 days of a new location, the settlers' council will seek to make the plan an agreement with the MOD. END NOTE. According to Israeli press, the Committee of Settler Rabbis has called on settlers to display active resistance to the evacuation of Migron and has urged soldiers and police to avoid taking part in the outpost's dismantlement. Herman told econoff earlier this month that if MOD-settler discussions were not successful, "it will be war." He further noted, however, that even if the MOD and the settlers reached a final decision, Migron would not likely be evacuated for at least one year. New housing units need to be built before the settlers would be relocated.

12. (C) Contrary to press reports, Herman said that discussions on Migron's relocation center on only two possible locations: land adjacent to the built-up area in the Adam settlement or land in the Adam industrial area. The MOD does not want to relocate these settlers to a new area in the West Bank, which would require new approvals to establish a new neighborhood. Both of the areas under consideration are inside Adam's municipal boundaries and are included in Adam's master plan, and so do not establish a new settlement, according to Herman. In response to questions on whether the MOD will fund, build, or compensate relocation of these settlers, Herman declared, "No way!" Migron, he emphasized, was illegally established on private Palestinian land.

13. (C) Comment: We welcome Israel's decision to evacuate Migron and uphold Israeli rule of law, as dictated by the HCJ. We also recognize, however, that by relocating Migron and allowing settlers to build additional new housing units inside the West Bank, Israel is meeting one Roadmap commitment (e.g. dismantling post-March 2001 illegal outpost) by violating another (e.g. expanding settlements).

As there are other illegal outposts established on private Palestinian land, Israel's evacuation of Migron will set a precedent in evacuating these types of outposts and will likely portend new petitions to the HCJ by Peace Now and other organizations to dismantle these sites. The USG should consider how to respond if additional GOI outpost evacuations lead to further settlement expansion that may contradict GOI commitments to the USG. End comment.

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